ABBREVIATED PRELIMINARY ASSESSMENT REPORT

ROBIN BOULEVARD DRUMS

EPA ID NO. TX0000593830

HOUSTON, HARRIS COUNTY, TEXAS

June 1997

Prepared for:

Environmental Protection Agency

Dallas, TX

Fluor Daniel, Inc.
Submitted by:

Mengistu Lemma

Mengistu Lemma
Task Manager

Fluor Daniel, Inc.
Approved by:

Bill Park

Bill Park
Project Manager

1.0 INTRODUCTION

Fluor Daniel, Inc. was tasked by the U.S. Environmental Protection Agency (EPA) Region 6 to conduct a Preliminary Assessment (PA) of the Robin Boulevard Drums site, Houston, Harris County, Texas (EPA ID No. TX0000593830). After reviewing the file information provided by the EPA, the EPA Site Assessment Manager and the Fluor Daniel Project Manager concluded that an abbreviated report would be sufficient to complete the PA assignment. This report is based on file information and data provided by the EPA Region 6. The file information was then supplemented by a topographic map and Records of Communication with the EPA's onsite coordinator.

1.1 Preliminary Assessment Objectives

The purpose of a PA is to determine whether further investigations are warranted and to screen sites for further consideration under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). The PA investigation determines CERCLA eligibility, reviews file information, documents the presence and type, or absence, of area receptors and uncontained or uncontrolled hazardous substances on-site and off-site, and documents site characteristics. Information obtained during the PA supports the management decision of whether the site warrants immediate removal action, proceeds to a Site Inspection (SI) or receives the classification of No Further Remedial Action Planned (NFRAP) under the Superfund Amendments and Reauthorization Act (SARA).

Preliminary information obtained during initial investigations indicate that the site was cleaned and the waste materials disposed of at an appropriate disposal facility. It was determined that an abbreviated PA would be necessary to complete the task for this site.

2.0 SITE DESCRIPTION/OPERATIONAL HISTORY

This section addresses site description, operational history, source characteristics, and regulatory status of the facility.

2.1 Site Location

The Robin Boulevard Drums (A.K.A. Mat Chemicals Inc.) has operated as a commercial fuels/chemical blending facility for an unknown number of years until it was abandoned in late 1994. The site is located at 12233 Robin Boulevard in a congested light industrial area in the southern part of Houston, Harris County Texas. Geographical coordinates for the site are 29°38'00" North latitude and 95°24'25" West longitude [Ref.1] [Figure 1]. The facility is bound on all sides by other industrial facilities, with the largest of these being a paint manufacturing company less than 100 yards west of the facility. A residential area of approximately 10,000 people is located approximately 0.5 miles west of the facility [Ref.2, pg.2].

2.2 Operational History

The current property owner, Peter Matienzo, purchased the facility in 1988 from Valley Solvents and established Mat Chemical Inc. In 1989, Pan American Trading Company

(PATDCO) purchased the assets and liabilities of Mat Chemical Inc., but Mr. Matienzo retained ownership of the land and structures associated with the facility. In 1991 PATDCO went bankrupt and Mr. Matienzo began leasing the facility to other fuels blending companies. The facility has been vacant since the last tenant moved out in late 1993. Mr. Matienzo filed for bankruptcy protection in November of 1994 [Ref. 2, pg. 3].

2.3 Regulatory Status/Current Site Activities

The Emergency Response Branch (ERB) of the Region 6 EPA learned about the site in June of 1994. A Resident Agent in charge of the EPA Region 6 Criminal Investigation Division (CID) for the Houston area had discovered the site during a routine reconnaissance. After learning of the site, ERB and the Technical Assistance Team (TAT) of the Region 6 EPA conducted a site assessment of the facility [Ref. 2, pg. 2].

The site covers approximately three acres. While the site was fenced on all sides, the facility was easily accessible to the general public. The gates were often unlocked permitting free access. The site had one large building that appears to have served as office, processing and warehousing functions [Ref. 2, p.2].

Twenty three Aboveground Storage Tanks (ASTs) and two Underground Tanks (USTs), ranging in capacity from 3000 to 16,000 gallons were present at the site. The tanks were in various stages of corrosion and decay during the ERB Site Assessment. While most of these ASTs had some form of secondary containment, they appeared to be of questionable integrity. Approximately 500 containers, ranging in size from one quart to 55 gallon drums with varying amount of content (from full to empty) were also present on the site [Ref.2, pg.3].

A pond and localized "marshy" area were located along the southern boundary of the site. This area appeared initially to be designed for the control of surface water run-off from the site. However, a significant amount of process waste had also been discharged into this area [Ref.2, pg.4].

In late 1994, the ERB requested the regional administrator of the Region 6 EPA to conduct a remedial action at this site. The proposed remedial action involved: 1) the segregation of liquid or sludge contaminants contained on-site in drums and above-ground storage tanks (ASTs) by hazard class and subsequent removal and off-site disposal of those contaminants or chemical wastes; and 2) the on-site treatment of the contaminated soils and debris using bioremediation. All wastes generated during this remedial action which are not treated on-site, would be consolidated by RCRA characterization or appropriate RCRA and state waste codes prior to disposal or recycling in an appropriate off-site disposal or recycling facility [Ref.2, p.8]. The request for remedial action was approved by the regional administrator on January 31, 1995 [Ref. 2, pg.13].

The file information stops at the approval of the remedial action. The actual remedial action report was not available. The senior OSC for this site, Waren Zehner, was contacted regarding the remedial action. Mr. Zehner stated that the remedial action at this site was conducted and completed according to the proposal. He said that the remedial action began in the second

quarter of 1995 and was completed in February 1996. The contents of the tanks and other containers were segregated by hazard class and disposed of off site at appropriate disposal facilities. Contaminated soils were treated on site using bioremediation. According to Mr. Zehner, by the end of the remedial action, the site was confirmed to be clean [Ref. 3].

2.4 Waste Source Characteristics

The problems associated with this site were: 1) approximately 500 containers of liquid, sludge or solid chemical wastes; 2) 23 ASTs containing approximately 42,000 gallons of chemical wastes in liquid of sludge form; 3) approximately 200 cubic yards of hydrocarbon (gasoline fuels) contaminated sediments of sludge. All these wastes had originated from the historic fuel blending operations conducted at the site [Ref. 2, pg. 2].

The principal contaminants of concern at this site were ignitable and corrosive liquid and solid wastes that either were present in the approximately 500 containers, 23 ASTs, and in the surface soils both in and around the site. From June 13 until June 17, 1994 the TAT conducted field hazard categorization and representative sampling at the site. Results from field hazard categorization testing by the TAT indicated the presence of two Resource Conservation and Recovery Act (RCRA) characteristic hazardous wastes (ignitability and corrosivity). Analysis of the estimated 200 cubic yards of contaminated soil in the pond and "marshy" area at the southern end of the site revealed total petroleum hydrocarbon (TPH) concentrations (reported as gasoline and diesel fuel) up to 11,000 parts per million (ppm) [Ref.1 pg.4]. The wastes from this site were cleaned up, and currently the site is confirmed to be clean [Ref. 3]

3.0 SUMMARY

The Robin Boulevard drum site is located at 12233 Robin Boulevard, Houston, Harris County, Texas. Historically, the site operated as a commercial fuels/chemical blending facility since its construction until it was abandoned in late 1993. The current property owner filed a bankruptcy protection in late 1994. Site assessment activities conducted by the EPA ERB and TAT in June 1994, in coordination with EPA's CID indicate that the site covers approximately three acres of land in the southern portion of Houston. The facility is bound on all sides by other industrial facilities. The site assessment also indicated that there were approximately 500 containers that exhibit RCRA hazardous characteristics including corrosivity and ignitability. Also present were 23 above ground tanks containing approximately 40,000 gallons of diverse wastes and two underground storage tanks with undocumented capacities and contents. The contents of the ASTs and USTs also exhibit RCRA corrosivity and ignitability characteristics. Also located on the site was a pond and a localized "marshy"area which appeared to be the receiving body for the site's storm-water drainage. However, samples from this area exhibited that the area received other discharges besides storm-water. Analytical results indicated levels of TPH exceeding 11,000 ppm. After conducting an emergency response at the site, in late 1994, the ERB requested the regional administrator of the Region 6 EPA to conduct a remedial action at this site. The request for remedial action was approved by the regional administrator on January 31, 1995. The senior OSC for the site, Mr. Zehner stated that the remedial action at this site was conducted and completed

according to the proposal. He said that the remedial action began in the second quarter of 1995 and completed in February 1996. By the end of the remedial action, the site was confirmed to be clean. Based on the remedial action that was performed at the site and subsequent verbal conformation of site cleanliness, further threat to human health and the environment from uncontrolled hazardous waste were not identified.

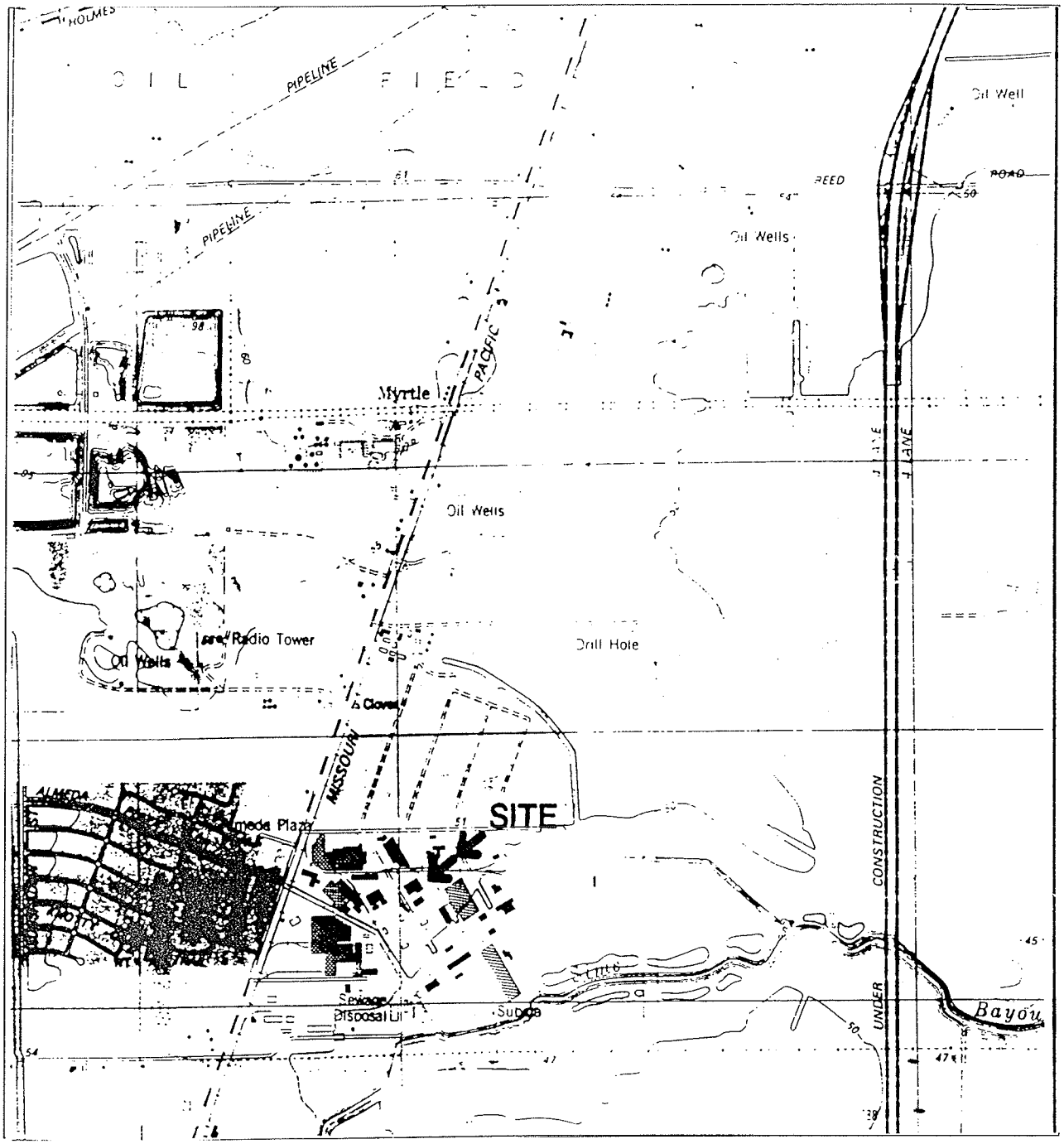
4.0 REFERENCES

1. U.S. Geological Survey, 7.5-minute topographic maps of Texas, Bellaire Quadrangle, 1982.

2. Memorandum: request for Removal Action at the Robin Boulevard Site, in Houston Harris County, Texas. From: Warren Zehner, Senior On-Scene Coordinator. To: Jane N. Saginaw Region 6 Administrator, January 1995.

3. Record of Communication: Remedial Action at the Robin Boulevard Site, in Houston Harris County, Texas. From: Mengistu Lemma, Fluor Daniel Task Manager. To: Warren Zehner, Senior On-Scene Coordinator USEPA. May 9, 1997.

FIGURE 1
SITE LOCATION MAP



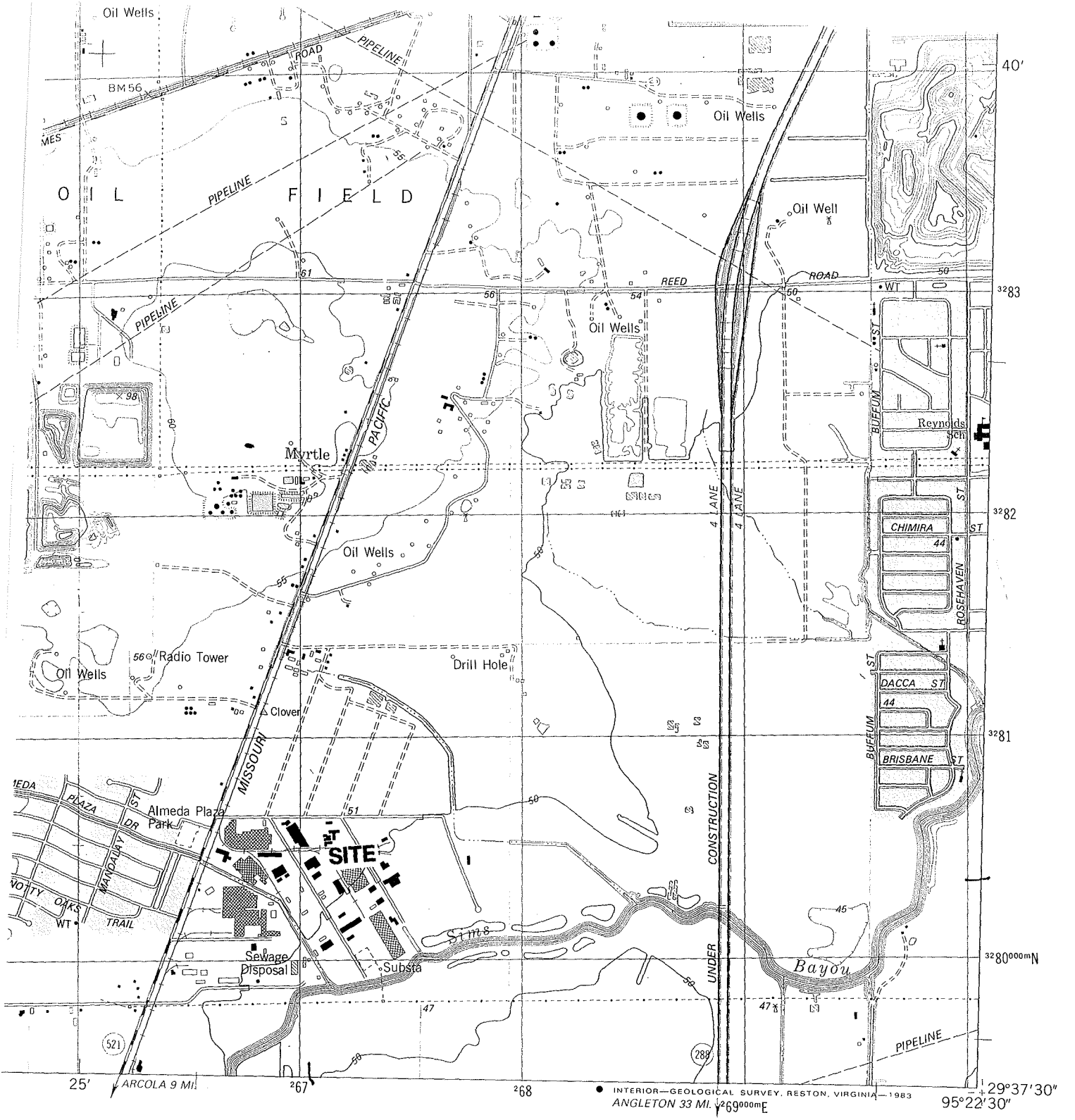
Note:USGS 7.5' Topographic Map, Bellaire, TX Quadrangle, 1982.

FLUOR DANIEL

FIGURE 1
SITE LOCATION MAP
Robin Boulevard Drums
EPA ID No. T0000593830
Houston, HarrisCounty, Texas

REFERENCE 1

U.S. Geological Survey, 7.5-minute topographic maps of Texas, Bellaire Quadrangle, 1982.



ROAD CLASSIFICATION

Primary highway, hard surface

Secondary highway, hard surface

Light-duty road, hard or improved surface

Unimproved road

Interstate Route U. S. Route State Route

QUADRANGLE LOCATION

BELLAIRE, TEX.

N2937.5—W9522.5/7.5

1982

DMA 6943 III NW—SERIES V882

2995-423

0 1 0 1 0 0 0 1

REFERENCE 2

Memorandum: request for Removal Action at the Robin Boulevard Site, in Houston Harris County, Texas. From: Warren Zehner, Senior On-Scene Coordinator. To: Jane N. Saginaw Region 6 Administrator, January 1995.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS, TX 75202-2733

MEMORANDUM

SUBJECT: Request for a Removal Action at the Robin Boulevard Site, in Houston, Harris County, Texas

FROM: Warren Zehner, Senior On-Scene Coordinator
Removal/Sites Section (6E-ES)

TO: Jane N. Saginaw
Regional Administrator (6A)

THRU: Russell F. Rhoades, Director
Environmental Services Division (6E)

I. PURPOSE

This memorandum requests approval of Jane N. Saginaw, Regional Administrator, EPA Region 6, for a removal action pursuant to the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), 42 U.S.C. § 9601 et seq. at the Robin Boulevard Site (the "Site"), 12233 Robin Blvd., Houston, Harris County, Texas. The proposed action involves: (1) the segregation of liquid or sludge contaminants contained on-site in drums or above-ground storage tanks (ASTs) by hazard class and the subsequent removal and off-site disposal of those contaminants or chemical wastes; and (2) the on-site treatment of the contaminated soils and debris using bioremediation.

This action meets the criteria for initiating a removal action under Section 300.415 of the National Contingency Plan (NCP), 40 C.F.R. § 300.415. This action is expected to require less than twelve months and $2,000,000 to complete.

02 001

II. SITE CONDITIONS AND BACKGROUND

CERCLIS ID: TX0000593830
Category of Removal: Time Critical
Site ID #: AF

A. Site Description

1. Removal site evaluation

On or about June 8, 1994 the Emergency Response Branch (ERB) of the United States Environmental Protection Agency (EPA) Region 6 learned of conditions at the Site, an abandoned fuels blending facility in Houston, Harris County, Texas, from the Resident Agent in Charge of the EPA Region 6 Criminal Investigation Division (CID), Houston Office during the normal course of business. The CID Agent had been conducting routine reconnaissance at the Site and had observed 150-200 55 gallon drums and several above-ground storage tanks (AST) at this abandoned facility. After learning of the Site, ERB conducted a Site Assessment of the facility in order to evaluate whether the Site posed an imminent and substantial endangerment to human health and the environment and whether a removal action was warranted.

Neither a preliminary assessment (PA) nor a site investigation (SI) has been conducted on this Site for the evaluation of potential inclusion on the National Priorities List (NPL). However, all data generated from this removal and the Site Assessment data supporting this action will be referred to the EPA Region 6 Superfund Site Assessment Section for its evaluation of the need for a PA or SI.

The key problems associated with this Site are: (1) approximately 500 containers of liquid, sludge or solid chemical wastes ; (2) 23 ASTs containing approximately 42,000 gallons of chemical wastes in liquid or sludge form; and (3) approximately 200 cubic yards of hydrocarbon (gasoline and diesel fuels) contaminated sediments or sludge. All of these wastes appear to have originated from the historic fuel blending operations conducted at the Site.

2. Physical location

The Robin Boulevard Site (also known as "Mat Chemicals Inc.") is an abandoned fuels blending facility located in a congested light industrial area in the southern part of Houston, Harris County, Texas. The physical address of the facility is 12233 Robin Blvd., Houston, Texas. The facility is bounded on all sides by other industrial facilities, with the largest of these being a paint manufacturing company less than 100 yards west of the facility. A modest sized residential area of less

than 10,000 people is located approximately 0.5 miles west of the facility. The Site is located less than 2000 feet northwest of Sims Bayou, just outside of the 500-year flood plain area, as designated by the Federal Emergency Management Agency (FEMA), National Flood Insurance Program (See Attachments 2 & 3).

3. Site characteristics

Region 6 believes the Site has operated as a fuels blending facility since its construction. The current property owner, Mr. Peter Matienzo, purchased the facility in 1988 from Valley Solvents and established Mat Chemical Inc. In 1989, Pan American Trading Development Company (PATDCO) purchased the assets and liabilities of Mat Chemicals Inc., but Mr. Matienzo retained ownership of the land and structures associated with the facility. In 1991 PATDCO went bankrupt and Mr. Matienzo began leasing the facility to other fuels blending companies. The facility has been vacant since the last tenant moved out in late 1993. Region 6 has learned that Mr. Matienzo filed for bankruptcy protection under Chapter 7 of the United States Bankruptcy Code with the U.S. Bankruptcy Court for the Southern District of Florida, Miami Division, in November of 1994.

The Site covers approximately three (3) acres in the southern portion of Houston, Texas. While the Site is fenced on all sides, the facility is not secure. EPA Region 6 has observed that the gates are often unlocked, permitting free access to the Site by members of the public. The Site has one large building that appears to have served office, processing and warehousing functions.

Twenty three (23) ASTs, ranging in capacity from 3000 to 16,000 gallons, are present on the Site. These tanks are in various stages of corrosion and decay. Tank conditions range from poor to average integrity. Results from the site assessment indicate that these tanks have a current aggregate content of 42,000 gallons of waste chemical liquid or sludge. While most of these ASTs have some form of secondary containment, they appear to be of questionable integrity in spots and inadequate to contain a catastrophic spill event.

Approximately 500 containers, ranging in size from one quart to 55 gallons are also present on the Site. As is the case with the ASTs, these containers are in varying stages of corrosion, with most having fair integrity. This is particularly the case with the steel containers, which comprise approximately 70% of the total number of containers. Of the remaining containers, about 25% are one (1) quart glass product/additive samples or re-agents. Although these containers are in relatively good shape now, they would be highly susceptible to catastrophic damage from vandalism or similar disturbance.

A pond and localized "marshy" area are located along the southern boundary of the Site. This area appeared initially to be designed for the control of surface water run-off from the Site. However, Region 6 believes that a significant amount of process waste had also been discharged into this area, either separately or in conjunction with the storm water (See Attachment 4).

4. Release or threatened release into the environment of a hazardous substance, or pollutant or contaminant

The principal contaminants of concern at this Site are ignitable and corrosive liquid and solid wastes that either are present in approximately 500 containers and 23 ASTs are present in the surface soils both in and around the Site. The solid and liquid wastes present on the Site meet the definitions of a hazardous substance as defined by Section 101(14)(c) of CERCLA, 42 U.S.C. § 9601(14)(c), and listed at 40 C.F.R. § 302.4.

As stated above, a myriad of liquid and solid chemical wastes are present in the containers, ASTs and in the sludge/ sediment and debris on the Site. Results from field hazard categorization testing by the Technical Assistance Team (TAT) indicated the presence of substantial amounts (@ 23,000 gallons) of two (2) RCRA characteristic hazardous wastes (ignitable and corrosive), as listed in the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. § 6901 et seq. Analysis of the estimated 200 cubic yards of sediment or sludge in the pond and "marshy" area at the southern end of the Site revealed total petroleum hydrocarbon (TPH) concentrations (reported as gasoline and diesel fuel) up to 11,000 parts per million (ppm), indicating a significant spill or discharge history on the Site. Although the sludges and sediments in the "marshy" area and the pond have significant concentrations of hazardous wastes, field screening of the water in these areas did not indicate a significant amount of contamination. However, the TAT periodically observed localized areas of "sheen" during site assessment activities.

While currently there is no apparent active discharge of hazardous substances occurring from the Site, the previously discharged hazardous substances in the "marshy" area sediments are potentially subject to movement by surface storm water run-off or a flooding event, common to the Houston area. There are no known potable water wells on the Site or on adjacent properties that could potentially be affected by the aforementioned discharge or run-off.

5. NPL status

This Site is not presently on the NPL. EPA Superfund Assessment Section has not conducted a Listing Site Inspection (LSI) for HRS ranking purposes and possible inclusion on the NPL.

However, should the Site rank on the NPL, the current removal action will be consistent with any subsequent remedial cleanup that might be taken due to the fact that the proposed action constitutes a source control measure.

6. Maps, pictures, and other graphic representations

The following is a listing and brief description of the attachments.

Attachment 1	Enforcement Addendum
Attachment 2	Site Location Map (7.5 min.quad.)
Attachment 3	FEMA Flood Map
Attachment 4	Site Sketch
Attachment 5	State Referral Letter
Photo Sheets	Representative photographs of site conditions

B. Other Actions to Date

1. Previous Actions

As referenced above, ERB learned of this Site on or about June 8, 1994, after Region 6 CID conducted a routine reconnaissance inspection of the Site. After notification by EPA CID, the Region 6 On-Scene Coordinator (OSC) assigned the regional TAT to conduct a Site Assessment for the property. From June 13 until June 17, 1994, the TAT conducted representative sampling and field hazard categorization on the containerized wastes and the ASTs present on Site. A copy of these results was forwarded to CID for its review in the normal course of its business. On July 13, 1994, the TAT collected several sediment and sludge samples from the "marshy" area of the Site for analysis. With the site assessment complete the OSC directed the TAT to post warning signs and secure the gates to the facility pending evaluation of the data from the Site.

2. Current actions

No new Site activities have occurred since the completion of the TAT Site Assessment in July 1994.

C. State and Local Authorities' Roles

1. State and local actions to date

Region 6 believes the City of Houston has cited the facility on several occasions for municipal code violations. After learning of the potential problems at the Site, the OSC notified the Site Discovery Group of the local Texas Natural Resources Conservation Commission (TNRCC). Following notification, TNRCC sent an inspector to the Site to meet with the Region 6 OSC and the TAT. Based on the Site visit, the TNRCC

recommended referral of the Site to EPA ERB for further action since the Site appeared to be beyond the current capabilities of TNRCC (See Attachment 5).

2. Potential for continued state and local response

To date no mitigative actions have been planned or undertaken by TNRCC for this Site. As stated above, the TNRCC field investigator verbally referred the Site to ERB and recommended TNRCC Headquarters submit a formal written referral to EPA Region 6. State authorities do not have the resources to conduct a timely response necessary to abate the imminent and substantial endangerment posed by conditions at the Site.

As stated above, the City of Houston has apparently cited the facility for numerous municipal code violations. However, to date no mitigative actions have been undertaken by the City of Houston, nor does the City appear to have the resources available to undertake any mitigative actions on this Site in a timely manner.

III. THREATS TO PUBLIC HEALTH OR WELFARE OR THE ENVIRONMENT, AND STATUTORY AND REGULATORY AUTHORITIES

A. Threats to Public Health or Welfare

The current conditions at the Site meet the following factors which indicate that the Site is a threat to the public health and welfare and a removal action is appropriate under §300.415(b)(2) of the National Contingency Plan. Any or all of these factors may be present at a site, yet any one of these factors may determine the appropriateness of a removal action.

1. Hazardous Substances in Drums or Tanks, NCP Section 300.415 (b)(2)(iii)

As stated above, there are hazardous substances in various sized containers, drums and ASTs that have been released or pose a threat of future release on the Site. As referenced above in Section II (4) of this Action Memorandum, there are approximately 500 containers and 23 ASTs which contain various hazardous substances including ignitable and corrosive liquids or sludges.

2. Contaminants in Soils, NCP Section 300.415 (b)(2)(iv)

As referenced above, the southern section of this Site is composed of a "marshy" area and a pond. Region 6 believes, based on visual inspection and analytical data from samples of soils and sludges in that area of the Site, that this area has had a number of historic episodes of discharge of hazardous substances or wastes. Analytical data indicates TPH (reported as

gasoline and diesel fuel) in the sludge/sediment up to 1100 ppm. Region 6 also detected several other organic compounds (characteristic of fuels) and metals in the soils and sludges of the Site at concentrations significantly above background levels.

3. Threat of Fire or Explosion, NCP Section 300.415 (b)(2)(vi)

Region 6 has determined that several of the containers and ASTs on-site contain ignitable liquids or sludges. Given the high diversity of ignitable chemical substances or wastes on-site, it is impossible to identify all of the possible combinations of toxic by-products and vapors that would be generated if the Site caught fire. The potential for fire and explosion is further enhanced by storage of incompatible corrosive wastes in close proximity to the ignitable chemical substances in several on-site areas.

4. Availability of Other Mechanisms, NCP Section 300.415 (b)(2)(vii)

The TNRCC has indicated to EPA that the Site is currently beyond their capabilities and more appropriate for an EPA response action. The City of Houston does not appear to have either the technical or financial capacity to enable it to respond to the threats to human health and the environment posed by conditions at this Site.

B. Threats to the Environment

The environmental media affected by this Site are the soil and surface water. The predominant threat to the environment posed by this Site is the actual or potential uncontrolled release of hazardous substances/wastes from the residual "marshy" area contamination and through localized rain water run-off from the Site. In addition, the Site is located less than 2000 feet northwest of Sims Bayou, just outside of the 500-year flood plain area, as designated by the Federal Emergency Management Agency (FEMA), National Flood Insurance Program (See Attachments 2 & 3).

IV. ENDANGERMENT DETERMINATION

Actual or threatened releases of hazardous substances or pollutants or contaminants from this Site, if not addressed by implementing the response action selected in this Action Memorandum, may present an imminent and substantial endangerment to public health, welfare, or the environment.

V. PROPOSED ACTIONS AND ESTIMATED COSTS

A. Proposed Actions

1. Proposed Action Description

The proposed action involves: (1) the segregation of liquid or sludge contaminants contained on-site in drums or above-ground storage tanks (ASTs) by hazard class and the subsequent removal and off-site disposal of those contaminants or chemical wastes; and (2) the on-site treatment of the contaminated soils and debris using bioremediation. All wastes generated during this removal action which are not treated on-site, will be consolidated (where possible) by RCRA characterization or appropriate RCRA and State waste codes prior to disposal or recycling in an appropriate off-site disposal or recycling facility.

As discussed below, all of the actions to be taken on-site during this removal will comply with all applicable, relevant, or appropriate requirements (ARARs) to the extent practicable, considering the exigencies of the situation, and provide an effective mitigation of the imminent and substantial threats posed to the general public health and environment by the Site.

All hazardous substances, pollutants or contaminants removed off-site for treatment, storage, or disposal shall be treated, stored, or disposed of at a facility in compliance, as determined by EPA, pursuant to CERCLA Section 121(d)(3), 42 U.S.C. § 9621(d)(3), and the following rule: "Amendment to the National Oil and Hazardous Substances Pollution Contingency Plan; Procedures for Planning and Implementing Off-Site Response Action: Final Rule." 58 FR 49200 (September 22, 1993), and codified at 40 CFR § 300.440.

Approximately 6,000 gallons of chemical wastes are present on the Site in the form of 500 containers of various sizes. All of the containers will be segregated based on the RCRA criteria of "full" or "empty" (residual amount). See 40 CFR § 261.7. After segregation, "full" containers will be sampled and hazcatted to establish the hazard category (e.g. corrosive or ignitable) of the waste for compatibility segregation, potential consolidation and evaluation of disposal/recycling options. Those containers that are considered "empty" either initially or through the consolidation process will be crushed and sent to an appropriate reclamation and/or disposal facility. The wastes in the "full" containers will be disposed of off-site at a RCRA-compliant hazardous waste treatment, storage, or disposal (TSD) facility. All containers to be sent off-site for disposal will be packaged and labelled in accordance with RCRA requirements found at 40 CFR §§ 262.30-32 and will be properly manifested in

accordance with the requirements set out at 40 CFR §§ 262.20-32. On-site storage of repackaged hazardous wastes is not expected to exceed ninety (90) days.

The approximately 42,000 gallons of chemical wastes present on the Site in the form of liquid or sludge in 23 ASTs will be handled substantively the same as the containerized waste. Rather than scraping the tanks after waste removal, ERB will decontaminate the ASTs and leave them intact. As is set forth in the Enforcement Attachment to this Action Memorandum (Attachment 1), Region 6 will not disassemble the ASTs at the Site both to avoid violation of any potential automatic stay imposed by the Bankruptcy Court and to preserve bankruptcy estate assets available to satisfy government response costs.

All off-site transportation of hazardous waste will be performed in conformance with RCRA and US Department of Transportation (DOT) requirements. See generally 40 CFR Part 263.

The approximately 200 cubic yards of contaminated sludge/sediments from the pond and "marshy" area will be dewatered through carbon filtration and treated utilizing bioremediation technology. This type of treatment has been demonstrated to be very cost effective and successful in treating soils/sediments/sludges contaminated with elevated TPH and related waste constituents. Due to logistical constraints the contaminated soil in the "marshy" area will be treated in-situ and dewatered. The sediments and sludge will transferred to a biotreatment area, consisting of a modified existing on-site structure, in order to better control the bioremediation process.

After completing bioremediation, the soils from the biotreatment area will be returned to the pond area. Other requirements under the Occupational Safety and Health Act (OSHA) of 1970, 29 U.S.C. § 651 et. seq., and under the laws of States with plans approved under section 18 of the State's OSHA laws, as well as other applicable safety and health requirements, will be followed. Federal OSHA requirements include, among other things, Hazardous Materials Operation, 20 C.F.R. Part 1910, as amended by 54 Fed. Reg. 9317 (March 5, 1989), all OSHA General Industry (29 C.F.R. Part 1910) and Construction (29 C.F.R. Part 1926) standards wherever they are relevant, as well as OSHA recordkeeping and reporting regulations. EPA regulations, set forth in 40 C.F.R. Part 300, and other EPA policies and guidelines relating to the conduct of work at Superfund sites will also be followed.

2. Contribution to remedial performance

All actions proposed for this Site are cost effective and consistent with any long term remediation strategies that may be developed for the Site due to the source control nature of the proposed removal action.

3. Description of alternative technologies

As stated above, an alternative technology, bioremediation, will be used to treat the high TPH wastes present at the Site. No other forms of alternative technologies can reasonably be applied to the remaining types and/or forms of waste present on the Site. However, in order to be consistent with the goals and objectives of the Agency, all efforts will be made, to the extent practicable, to send the wastes generated from this removal to a recycling or alternative use (fuels program) facility for ultimate disposal of the wastes.

4. Applicable or relevant and appropriate requirements

This removal action will be conducted to eliminate the actual or potential release of a hazardous substance, pollutant, or contaminant to the environment, pursuant to CERCLA, 42 U.S.C. § 9601 et. seq., and in a manner consistent with the National Contingency Plan, 40 C.F.R. Part 300, as required at 33 U.S.C. § 1321(c)(2) and 42 U.S.C. § 9605. As per 40 C.F.R. Part 300.415(i), fund-financed removal actions under CERCLA § 104 and removal actions pursuant to CERCLA § 106 shall, to the extent practicable considering the exigencies of the situation, attain the applicable or relevant and appropriate requirements under Federal environmental law.

Due to the fact that consolidation, off-site disposal and bioremediation are the principal elements of this removal action, RCRA waste analysis requirements found at 40 CFR §§ 261.20 and 261.30, RCRA manifesting requirements found at 40 CFR § 262.20, and RCRA packaging and labelling requirements found at 40 CFR § 262.30, are deemed to be relevant and appropriate requirements for this removal action. Because on-site storage of repackaged hazardous wastes is not expected to exceed ninety (90) days, specific storage requirements found at 40 CFR Part 265 are neither applicable, relevant or appropriate. See 40 CFR § 262.34.

5. Project schedule

This time critical removal action is anticipated to begin in the second quarter of Fiscal Year 1995 and be completed by the third quarter of Fiscal Year 1995.

B. Estimated Costs

Extramural Costs

ERCS	$702,000
TAT	$250,000
Subtotal, Extramural Costs	$952,000
Extramural Costs Contingency (20%)	$190,000
TOTAL, EXTRAMURAL COSTS	$1,142,400

Intramural Costs

EPA Direct Costs	$50,000
EPA Indirect Costs	$100,000
TOTAL, INTRAMURAL COSTS	$150,000
TOTAL, REMOVAL PROJECT CEILING	**$1,292,400**

VI. EXPECTED CHANGE IN THE SITUATION SHOULD ACTION BE DELAYED OR NOT TAKEN

Should no action be taken, the Site will continue to pose a significant risk for potential fire and explosion and/or catastrophic discharge of the estimated 48,000 gallons of chemical wastes present on the Site.

VII. OUTSTANDING POLICY ISSUES

There are no outstanding policy issues associated with this removal action.

VIII. ENFORCEMENT

See attached Enforcement Addendum, Attachment 1.

IX. RECOMMENDATION

This decision document represents the selected removal action for the Robin Boulevard Site, in Houston, Harris County, Texas, developed in accordance with the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. § 9601 et seq., and not inconsistent with the National

Contingency Plan (NCP), 40 C.F.R. Part 300. This decision is based on the Administrative Record for the Site.

Conditions at the site meet the NCP Section 300.415(b)(2), 40 CFR § 300.415(b)(2), criteria for a removal, and I recommend your approval of the proposed removal action. The total project ceiling, if approved, will be $1,292,400. Of this, an estimated $702,000 comes from the Regional Allowance.

APPROVED acting for J. Lerner Saginaw DATE 4/31/95

DISAPPROVED _____ DATE _____

REFERENCE 3

Record of Communication: Remedial Action at the Robin Boulevard Site, in Houston Harris County, Texas. From: Mengistu Lemma, Fluor Daniel Task Manager. To: Warren Zehner, Senior On-Scene Coordinator USEPA. May 9, 1997.

FLUOR DANIEL

RECORD OF TELEPHONE CONVERSATION

FROM:	MENGISTU LEMMA, TASK MANAGER	DATE:	MAY 9, 1997
LOCATION:	FLUOR DANIEL, DALLAS TX.	TIME:	1019
TO:	WAREN ZEHNER, SENIOR OSC	P.O. NO.	Tel.. (713) 983-2136
LOCATION:	EPA REGION 6, HOUSTON TX.	OTHER REF.	ROBIN BOULEVARD DRUMS

I called Warren Zehner, the senior OSC for the Robin Boulevard Drums site. Mr. Zehner is located in the Houston EPA office. I asked him about the remedial work done at the Robin Boulevard Drums site. I asked him about the site assessment report, if there was a remedial report completed at the site, and what the current status of the site is. Mr. Zehner told me that the remedial work at the Robin Boulevard Drums site began in the second quarter of 1995 and was completed in February of 1996. He said that the remediation action was done according to the proposal submitted to the regional administrator. The contents of the tanks and other containers were segregated by hazard class and disposed of off-site at a disposal facilities. Contaminated soils were treated on site using bioremediation. He said the remedial report was completed and filled with the other reports, including site assessment report and the request for removal action. All these reports should be available in the EPA Dallas office. The contact person is Carolyn Hansen (214) 665-2265. He also told me that the site was at the end of the remedial action, the site was confirmed clean. He does not see the need for any more EPA investigation at the site.

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